

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 08 2008

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES OF AMERICA

vs.

SOPHIA COZZA

Name

CR-07-160-LRS

File No.

Street Address

Telephone Number

WA
City and State

I. AGREEMENT FOR PRE-TRIAL DIVERSION

It appearing that you are reported to have committed an offense against the United States on or about February 22, 2007, in violation of Title 18, United States Code, Section 1623(a), in that you did False Declarations Before Grand Jury or Court (Perjury), and upon your accepting responsibility for this act, and it further appearing, after an investigation of the offense, and your background, that the interest of the United States and your own interest and the interest of justice will be served by the following procedure, therefore,

On the authority of the Attorney General of the United States, by James A. McDevitt, United States Attorney for the Eastern District of Washington, prosecution in this District for this offense shall be deferred for a period of 12 months from the date of the signing of this agreement, provided you abide by the following conditions and the requirements of the program set out below:

Should you violate the conditions of this supervision, the United States Attorney may revoke or modify any conditions of this pre-trial diversion program or change the period of supervision which shall in no case exceed 12 months. The United States Attorney may release you from supervision at any time. The United States Attorney may at any time within the period of your supervision initiate prosecution for this offense should you violate the conditions of this supervision and will furnish you with notice specifying the conditions of your program which you have violated.

Pretrial Diversion Agreement - 1

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1 If, upon completion of your period of supervision, a pre-trial diversion
2 report is received to the effect that you have complied with all the rules,
3 regulations and conditions above mentioned, no prosecution for the offense set out
4 on page 1 of this agreement will be instituted in this District, and any indictment
5 or information will be discharged.

6 Neither this agreement nor any other document filed with the United States
7 Attorney as a result of your participation in the Pre-Trial Diversion Program will
8 be used against you, except for impeachment purposes, in connection with any
9 prosecution for the above described offense.

10 **II. CONDITIONS OF PRE-TRIAL DIVERSION**

11 1. You shall not violate any law (federal, state and local). You shall
12 immediately contact your pre-trial diversion supervisor if arrested and/or
13 questioned by any law enforcement officer.

14 2. You shall attend school or work regularly at a lawful occupation or
15 otherwise comply with the terms of the special program described below. In the
16 absence of a special program, when out of work or unable to attend school, you
17 shall notify your program supervisor at once. You shall consult him prior to job or
18 school changes.

19 3. You shall continue to live in this judicial district. If you intend to
20 move out of the district, you shall inform your supervisor so that the appropriate
21 transfer of program responsibility can be made.

22 4. You shall abstain from the use of any controlled substances, and shall
23 be subject to urinary analysis in a frequency of testing as determined by the U.S.
24 Probation Office; You shall undergo a drug/alcohol evaluation and will follow all
25 treatment recommendations if such an evaluation is requested by the United States
26 Probation Office.

5. You shall follow the program and conditions as described below.

6. You shall report to your program supervisor as directed and keep
him/her informed of your whereabouts.

7. You shall report to the United States Attorney's Office as directed and
keep the United States Attorney informed of your whereabouts.

8. You shall strive to achieve the desired goals of the program.

9. You shall agree to testify completely and truthfully at any subsequent
hearing, grand jury proceeding, or other federal or state court proceeding
involving co-defendants or any other persons involved in the broader criminal

1 activity associated with the armed bank robbery that occurred on November 28,
2 2006. *gck TEE*

3 I, **SOPHIA COZZA**, assert and certify that I am aware of the fact that the
4 Sixth Amendment to the Constitution of the United States provides that in all
5 criminal prosecutions the accused shall enjoy the right to a speedy and public trial.
6 I also am aware that Rule 48(b) of the Federal Rules of Criminal Procedure
7 provides that the Court may dismiss an indictment, information, or complaint for
8 unnecessary delay in presenting a charge to the Grand Jury, filing an information
9 or in bringing a defendant to trial. I hereby request that the United States Attorney
10 for the Eastern District of Washington defer any prosecution of me for violation of
11 Title 18, United States Code, Section 1623(a) for a period of 12 months, and to
12 induce him to defer such prosecution I agree and consent that any delay from the
13 date of this Agreement to the date of the initiation of the prosecution, as provided
14 for in the terms expressed herein, shall be deemed to be a necessary delay at my
15 request and I waive any defense to such prosecution on the ground that such delay
16 operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal
17 Procedure and the Sixth Amendment to the Constitution of the United States to a
18 speedy trial or to bar the prosecution by reason of the running of the statute of
19 limitations for a period of 12 months, which is the period of this Agreement.

20 I hereby state that the above has been read by me. I understand the
21 conditions of my pre-trial diversion and agree that I will comply with them.

22 *x Sophia Cozza*
23 **SOPHIA COZZA**

24 *4/8/08*
25 **DATE**

26 *Thomas E. Cooney*
THOMAS E. COONEY
Defendant's Attorney *6876*

4/8/08
DATE

Jared C. Kimball
Jared C. Kimball
Assistant United States Attorney

4.8.08
DATE

27 **APPROVED** as to form only without passing judgment on the merits or wisdom of
28 this diversion.

29 *Lonny R. Suko*
30 **Hon. Lonny R. Suko, U.S. District Court Judge**

4/8/08
DATE